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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 UNITED STATES OF AMERICA,	)	No. CR 06-00272 MHP
	)	
15 Plaintiff,	)	<del>PROPOSED</del> ORDER EXCLUDING
	)	TIME UNDER THE SPEEDY TRIAL ACT
16 v.	)	
	)	
17 THOMAS KEITH CASEBEER,	)	
	)	
18 Defendant.	)	
	)	
19	)	

20 This matter came on the calendar of the Honorable James Larson on April 7, 2006 for  
21 status. The Court continued the matter until April 19, 2006 at 9:30 a.m. for further status and/or  
22 arraignment on a superseding information.

23 The parties requested an exclusion of time under the Speedy Trial Act from April 7  
24 through April 19, 2006 for effective preparation of defense counsel. Defense counsel received a  
25 copy of the hard drive from the defendant's computer on or about April 6, 2006 and will need  
26 time to review it.

27 In light of the need for defense counsel to review the evidence, the parties agree that the  
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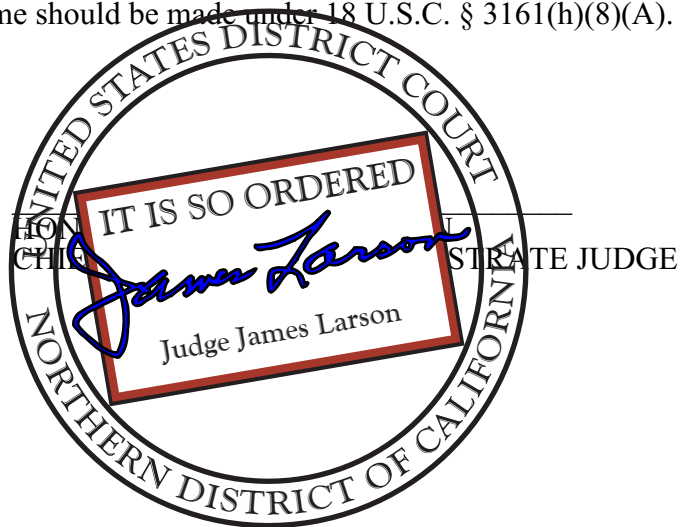
No. CR 06-00272 MHP  
[PROPOSED] ORDER EXCLUDING TIME  
UNDER THE SPEEDY TRIAL ACT

time between April 7 and April 19, 2006 should be excluded under the Speedy Trial Act for effective preparation and continuity of counsel. See 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

Accordingly, the Court HEREBY ORDERS that the time from April 7 through April 19, 2006 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the failure to grant the requested exclusion would deny the defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court further finds that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A).

IT IS SO ORDERED.

DATED: April 25, 2006



Approved as to form:

/s/ Edward Swanson  
EDWARD SWANSON  
Attorney for Defendant

/s/ Monica Fernandez  
MONICA FERNANDEZ  
Assistant United States Attorney